

Attorney Docket No. BRCK-004/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Ralph N. CRABTREE

Serial No.: 10/724,394

Examiner: Tom Y. Lu

Filed: December 1, 2003

Art Unit: 2624

Confirmation No.: 8889

For: **SYSTEMS AND METHODS FOR DETERMINING IF OBJECTS ARE IN A QUEUE**

United States Patent and Trademark Office
Customer Service Window, Mail Stop Issue Fee
Randolph Building
401 Dulany Street
Alexandria, VA 22314

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

A statement of reasons for allowance was set forth in the Notice of Allowance mailed on October 3, 2006, in connection with the above-identified application.

While the Applicant agrees that the pending claims are allowable for at least the reasons set forth in the Examiner's statement, the Applicant submits that the invention as recited by the claims and as described in the application may be patentable over the art of record for reasons in addition to those listed in the Examiner's statement. For example, Applicant notes that the Examiner's statement quotes various recitations of some of the independent claims. Applicant notes that the language of the claims as allowed defines the invention and the language in the Examiner's statement should not be construed as limiting the claims in any manner. Moreover, the claims contain recitations in addition to those stated by the Examiner that provide additional bases for patentability over the art of

record. Accordingly, the Applicant reserves the right to pursue claims of different scope than those in the present application. For example, such claims may not necessarily need to include the elements identified in the Examiner's Statement of Reasons for Allowance in the present application.

This statement commenting on the reasons for allowance is timely submitted.

Dated: December 20, 2006

Respectfully submitted,
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